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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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TO: The Honorable Commissioner FROM: Beverly A. Lyman, Ph.D.
Attention: Mail Stop Amendment
Art Unit: 1616

Fax No.: (703) 872-9306 Phone: (513) 241-2324

Date: March 15, 2005 Fax: (513) 421-7269

Pages (including cover page): 17

Re: U.S. Serial No. 10/814,404 TISSUE-SPECIFIC EXOGENOUS OPTICAL AGENTS
Attorney Docket No. MRD-54DV

ATTACHMENTS/COMMENTS: OFFICIAL

Please deliver to Mail Stop Amendment, Art Unit 1616
Preliminary Amendment (14 pages)
Copy of Merck Index (Eleventh Edition, Rahway, NJ, 1989, page 4869) (2 pages)

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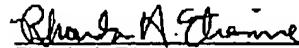
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Samuel Achilefu et al.
Application No: 10/814,404
Filed: March 31, 2004
Art Unit: 1616
Confirmation No: 5388
Examiner: Unknown
Title: TISSUE-SPECIFIC EXOGENOUS OPTICAL AGENTS
Atty. Docket No: MRD-54DV

Cincinnati, Ohio 45202

March 15, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Prior to examination of the above-identified application, please amend the application as follows:

Amendments to the Claims are reflected in the Listing of Claims which begins on page 2 of this paper.

Remarks begin on page 13 of this paper.